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Worcester's Bi-Centennial,

1684 - 1884.

THE
EARLY SETTLEMENTS



OF
WORCESTER.


BY
FRANCIS E. BLAKE.

PUBLISHED BY FRANKLIN P. RICE.

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INCIDENTS
OF THE
FIRST AND SECOND SETTLEMENTS
OF
WORCESTER.

By FRANCIS E. BLAKE.



WORCESTER, MASS. :
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PUBLISHER'S NOTE.

The following paper was read by Mr. Blake at a meeting of The Worcester Society of Antiquity, held May 6th, 1884, and is reprinted from the Proceedings of that Society. The facts which it presents, most of them heretofore unpublished or undiscovered, afford information of interest and importance relating to the first settlements of Worcester ; and they are offered, at this time, as an appropriate contribution to the early history of the town.

INCIDENTS

OF THE

FIRST AND SECOND SETTLEMENTS OF WORCESTER.

The design of this paper is simply to bring to the notice of the public some facts relating to the early history of Worcester which have never been published, but which appear to be worthy of preservation.

It is evident that the sources of information concerning the *first* and *second*, and even the *third* settlements of this town, have not been exhausted by historians ; and that there exists to-day, a large amount of material possessing interest and value, awaiting the labor of some enthusiastic investigator.

The present facilities for such investigation, render the labor comparatively light, as the records and files of papers in the various public offices of the State are much more accessible than they were forty years ago, and generally are in better condition. It is not to be inferred, however, from this remark, that *all* of our public records are in good order ; for it is a fact that some are still in a lamentable condition of disorder and decay, and under the charge of officials who care but little or nothing for their preservation.

Those who are conversant with the history of the first settlement of this place, are aware that Ephraim Curtis, of Sudbury, claiming rights by virtue of a purchase from the heirs of Thomas Noyes, took possession of a large tract of land in the heart of the plantation, and erected thereon a house. This location so seriously

interfered with the plans of the Committee in laying out the plantation, that in May, 1674, they with the Proprietors, applied to the General Court for relief, which was afforded by allowing Mr. Curtis to retain only fifty acres within the town, giving him an equivalent elsewhere for his remaining rights.

This decision of the Court was the occasion of two law suits. It appears that Mr. Curtis had already sold two hundred acres of these lands to his brother John, who, not being able to take possession, brought suit in December, 1674, against Ephraim "for not making good his bargain & Sale." The result was a verdict for the plaintiff, with £40 damages and costs. In April, 1675, Mr. Curtis entered a suit against Mrs. Mary Bacon (formerly Widow Noyes) "for not making good the title of 250 acres laid out to John Norton & sold to Ephraim Curtis" by her as executrix of her former husband, Thomas Noyes. This suit Mr. Curtis also lost.

Among the papers connected with the latter case, (now in Middlesex Court files) is a copy of the petition of the Committee and Proprietors to the General Court in May, 1674, above referred to, and also an attested copy of a personal letter from Major Gookin, one of the Committee, to Mr. Curtis. As Mr. Curtis has had the credit of being the first settler in the town, this letter possesses considerable interest, not only in showing the determination of Major Gookin (and presumably that of all the Committee) that Mr. Curtis should not under any circumstances be allowed to locate the whole of his purchase within the bounds of the town, but also in establishing the fact that he was not the first to erect a house there.

The letter is as follows :

"Ephraym Curtes

"I Reced your letter and pervsed the Reccords about your clayme of land beyond the old fort at Quansagamond I finde that you haue a deed from widdow noyce of two parcells of land thereabouts dated Ann^o 1670 the one of two hundred and fuetty Acres granted to Thomas Noyes the other two hundred and fuetty acres granted to Mr. Norton and Assigned first to m^r John Payne and after to m^r Noyes and by his widdow sold to you as aboue Again I finde m^r. Norton had a grant of two

hundred and fifty acres in the yeare 1659 granted Indefinitely no place appointed but you say that this farne was layd out and returned and Confirmed to Noyes ann^o 1665 there is no Such thing vpon Record, nor was there any such thing returned vntill in the Generall Court Aprill 29th 1668 two yeares and more after noyes his death then that farne of two hundred and fuetty acres wth a platt of it is returned and accepted by the Court,* indeed in sayd Returne it is sayd it was layd out ann^o 65 by Thomas Noyce but as that was don without order of Court for him to lay out his owne Grant and none else to supervise it so it is the tyme of the returne and Acceptation which gives the grant right and mens pretences of laying it out Antedates now I heare you are building at that place if it be so I think you are out of your way and will loose all your Cost for that land is granted for a Towneship and is lajd out into seuerall lotts, and wee cannot Admitt your grant and returne for that of ours is a full yeare before yours being from the Generall Court in May Sixteene hundred sixty seven and this you may Credit for a certeine trueth for I have both the orde^{rs} by me, and in trueth wee cannot goe on with the plantation vntill wee haue the land which is as clearly ourrs as my house is mine And therefore I advise you in frendship to Consider wth yourself and not to proceed against reason and law, you may haue that grant in another place that is free for ought I know) but in that place you neither can nor shall haue it vnless the law Give it you which I conceive it canno^t or will not and as for you^r attempting to build vpon it &c wee are before hand with you for wee both mowed heere and built a smale house and digged in the ground a litle beyond the brook before you ; you know there is the publick interest of a Towne that will plead against your clajme and there is twenty or thirty persons concerned in it and the Generall Court and all other Courts will doe us right especially when a publick Interest is concerned and not giue you that are a particcular person that land which you haue no legall right vnto before a Commity that haue right to it these things I haue suggested to prevent your trouble and further charge if you will make vse of and give of so.

* This plan is in the State Archives.

if not know for a Certainty that the Comitte and partyes Concerned will not loose theire right there so with my loue to you I remayne
Your loving freind

“Daniel Gookin Sen^r”

“Cambridge the 8th 8th 1675”

“postscript Besides wee haue testimony that Thomas before his death promised to lay downe his right in that farme in order to setle a Plantation there you can be no looser for the two farmes cost you but forty three pounds and one of them is worth [] besides you may haue the grant in another place if you will

“D. G.”

“Sup^rscribed These ffor Ephraim Curtes
at Sudbury”

“That what is on the other side of this written is a true Copie Compared wth the originall letter (so signed & Sup^rscribed) produced in the Generall Court in may last & therewith compared is Attested by
Edward Rawson Secrety”

Notwithstanding the fact that this *attested copy* gives the date as the 8th of the 8th month, 1675, we find that the copy was used in evidence in the County Court in April, 1675, while the original was so used in the General Court in May, 1674. The whole tenor of the letter also goes to establish the fact, that it was written before the action of the Court in June, 1674, and hence there can be no doubt that the original was dated 1673, October 8.

As has been stated, the Court sustained Mr. Gookin and the Committee, and Mr. Curtis was obliged to yield to the “publick interest.”

There appears nothing upon the Proprietors’ or other records to indicate the progress of the settlement during the years 1673 and 1674, and it is presumed that the number of actual settlers was small. The necessity, however, of a public house for entertainment of travellers became apparent, and the Committee made the following request of the County Court.

"wee whose names Are underwritten, being a comittee of the Generall Court for Setling and ordering a new plantation, neere Quandsicamond pond in the Road way from Boston to Koneticut, haue (for diuers Reasons) given our approbation that Thomas Browne of Cambridge haueing built a house there do keepe an Inne or ordinary in that place & wee desire the Honored County Court of midesex to giue him Licence so to doe also to furnise Trauelers w^h wine & strong watters obseruing the Rules therein directed by the Lawes, wittnes o^r Hands this Second of December 1674

Daniel Gookin Sen^r

Thomas prentis

D Henchman"

In compliance with this request the Court on the 15th of December, 1674, granted a licence to Thomas Browne to "keep an ordinary at Quansigamond Plantaceon."

This record, besides giving us the name of the first innholder of the settlement, establishes the fact that Mr. Browne had built his house and settled there at that date.

The "smale house" mentioned by Major Gookin, with that of Mr. Curtis and this of Mr. Browne, are the only houses of which we have found any record evidence previous to April, 1675, when the first survey of lots was made ; but there can be little doubt that several others had been erected.

At what date the second settlement of the town actually commenced does not clearly appear, although it is evident that some of the Proprietors were on the spot in February or March, 1684, and very probably had passed the winter there.

The following order issued by the County Court, April 1st, 1684, indicates that the settlement was fairly in progress at that time.

"Whereas the Plantation of Quinsicamund hath some Inhabitants already there, & it being at least ten miles distant from the nearest English Towne, w^{ch} is too far to travail up on the Sabbath day to the Worship of God ; And for as much as the Committee of the Gen^l Court for that place, viz^t Major Gookin Esq^r Capt

Daniel Hinchman and Capt Thomas Prentice have applied themselves to this Court desiring that order may pass this Court, requiring the people there living to meet together on the Lords day to worship God.

It is ordered by this Court that the people of the place do constantly meet together on the Sabbath days to celebrate the worship of God in the best manner they can at p'sent, & untill they do encrease to such a number as that they may be capable to call & meinteyn a learned pious & orthodox minister, as they will answer their neglect at their perill.

"And Capt Daniel Hinchman is requested & authorized by this Court to take speciall care to prevent the prophanation of the Sabbath day by neglect hereof."

At the same time this order for the spiritual welfare of the settlement was made, the Court passed upon another matter of entirely different character. The record is as follows :

"Nathaniel Hinchman is licensed and allowed to keep a house of entertainm^t for Travailers at Quinsicamond for a year next ensuing. Also he is allowed to sell & furnish Travailers or Inhabitants with Rhum or other strong waters in Bottles of a Pint or Quart. But not to retayl any in his house or suffer Tipling there."

This Nathaniel Hinchman, the *first* innholder of the *second* settlement, was a son of Capt. Daniel Hinchman, and at this date was but twenty-two years old. Whether he had a house of his own, or his father's house served for the inn does not appear ; but no grants of land were made to the son at that time. The location of the father's house is understood to have been north of Lincoln square, near where the freight house of the Worcester and Nashua railroad stands.*

By June, 1684, the settlement had so far advanced as to require the appointment of a constable, fence viewer, and hogreeve, as appears by the orders of Court :

*The Middlesex Court Records furnish the names of a few other licensed innholders, but all belonging to later years, viz.: James Rice, 1718; John Hubbard, 1720, 21, 23, 24, 28-30; William Jennison, 1726, 28, 30; Robert Grey, 1728, 29.

"17, 4, 1684. At the motion & desire of the Committee of y^e plantacon of Quansicamund. This Court doth order that ——— Weeks be constable for y^t plantacon for one year next ensuing & that he have all the pow^r of a Constable as the law directs & Capt Daniel Hinchman is impowred to give S^d Constable his Oath."*

"And ——— Allerton is appoynted to inspect the fences & order about swine in s^d plantacon for one year. And this order to direct the affair untill by y^e law the s^d Towne or plantacon be capable to choose Towne officers according to law."

The only other local officer during this period, to whom reference has been found, is the clerk of the town. In *Middlesex Deeds*, vol. 13, page 294, is a record of land belonging to George Ripley, upon which "said Ripley built a house & Barne," which record is attested, May 21, 1688, as a "true Copy out of the first Book of records Kept for the Town of Worster by me John Wing Clarke Chosen by the Inhabitants there."†

In the Court files of Middlesex County are a number of papers relating to a suit of George Danson against Capt. John Wing and others in December, 1685.‡ An examination of these papers brings to light many facts connected with the history of Worcester at that period; and as both Danson and Wing were prominent land proprietors in the town, a statement of the case, with some items relating to the personal history of the two litigants, appears desirable.

Capt. John Wing, a mariner, was for many years a resident of Boston. He was one of the founders of the Old South Church there, in 1669, an officer in the Artillery Company, active in busi-

* Mr. William Weeks was a housewright, and with his wife Jane (or Joan) sold his land "with the Dwelling House thereon" in 1686, to Isaac Bull, housewright, for £10.

† This record is not found in the Proprietors' Book.

‡ Among these papers are two certified copies of the agreement made by the Committee with Capt. Hinchman in 1684, by means of which the somewhat imperfect copy in the Proprietors' Records can be made complete.

ness affairs of the town, and keeper of the "Castle Tavern." This well known inn, subsequently called the "George," was situated at the corner of the present Elm street and Dock square, and was often honored by the presence of the Magistrates, Divines, and Military Men of the day. Many references to Capt. Wing and his tavern appear in the Journal of Judge Sewall, for instance: "Deputies treated me at Wing's after lecture"; and under date of Sabbath, Dec. 4, 1687: "In the Even Capt. Eliot, Frary, Williams & Self Treat with Brother Wing about his Setting a Room in his House for a man to Shew Tricks in. He Saith, seeing 'tis offensive, he will remedy it. It seems the Room is fitted with Seats. I read what Dr. Ames saith of Callings, and spake as I could from this Principle, that the man's Practice was unlawfull, and therefore Capt. Wing could not lawfully give him accomodation for it. Sung the 90th Ps. from the 12th v. to the end. Broke up."

In October, 1684, Capt. Wing was appointed a member of the committee having charge of the plantation of Quinsigamond, to fill the vacancy occasioned by the death of Capt. Beers.* Several months before this he had become interested in the town, and early in 1685, he was admitted as an inhabitant and became proprietor of several tracts of land therein. Previous to March of that year he had erected a house, and in that month commenced the building of his mills, which local historians affirm to have been the first mills in the township, though they do not fix the date of erection.

*The Court Records so have it, but the original order on file shows that Adam Winthrop was confirmed as a member of the committee, Oct. 17, 1684, and four days after, the Magistrates "Judge meete to Add Capt Wing to bee of this Comittee." (State Archives, vol. 112, page 370.)

There is something singular about the order of Court, 1684, adding Capt. Wing to the committee. The Court Record shows only Wing added, while the original paper (copy annexed) shows *Winthrop* and Wing. Winthrop was one of the committee in 1685, but there is nothing in the records to show his appointment. I question if Wing was appointed to "fill vacancy occasioned by death of Beers," as has been stated by others, and is in fact so recorded in the Court Records.

The following is a copy of the petition and order for the naming of the town, and the appointment of Winthrop and Wing:—

In the general agreement made by the Committee with Capt. HENCHMAN for the distribution of land in the township, three lots were to be granted to "the builders & mainteyners of a Saw milne," and the like number for a "grist milne." A grant was made to Capt. Wing of "6 lots for his mills," and all the facts which have come to our notice indicate that he erected both saw and grist mills in 1685, although this conclusion does not agree with that of some of your historians. He appears to have carried on his mill business in Worcester, and his "wine tavern" in Boston at the same time, besides attending to much public business of both towns. His services to the new township were many and varied; in fact it is surmised that, in the language of this day, he "run the town" after the death of Capt. HENCHMAN. These services appear to have been appreciated by his fellow townsmen, as will hereafter be shown.

"At a Gen^{all} Court held In Boston ye 15th. October 1684/

"Vpon ye Motion & desire of Maj^r Gen^{all} Daniel Gookin Cap^t Thomas Prentice & Daniel HENCHMAN this Courts Committee for ye settling of a new Plantation neare Quansikomom pond

- 1 Humbly desireing y^t ye Court will please to name ye Town Worcest^r, & y^t ye Brand marke for cattle there may be thus + ‡ +
- 2 That one of sd Committee being deceased y^t ye Court will pleas to appoint a fitt man to supply his place, for to help in ye further settling of s^d Town to all intents & purposes as formerly ordered; & do humbly p^pound to ye Honrd Court y^t M^r Adam Winthrop may be ye person, being one interested in s^d Town.

The Deput^s Judge meete to graunt all the
aboue mentioned p^ticulars & desire o^r
honrd magis^{ts} Consent thereto

William Torrey Cleric

Consented to by the magis^{ts} Edward Rauson Secret
17th of October 1684.

21 Octob 84 The magis^{ts} Judge meete to Add Capt wing to bee of this
Comittee their brethren the Deputyes hereto Consenting—
Edward Rawson Secret

Consented to by the Dep^{ts}
William Torrey Cleric"

[Fac-simile next page.]

At a Gen^l Court held in Boston 2^d 11. 18 01 90 Oct 16 24

Upon y^e Motion & desire of Maj. Gen. Daniel Giddin. Capt Thomas Proctor & Daniel Planchman his Councils Committee for y^e settling of a new plantation near Quansukon pond

1 Humbly desiring y^e Court will please to name y^e Town Rochester, & y^e y^e Bound marks for cattle how may be thus #

2 That one of sd Committee being decessed y^e Court will please to appoint a fitt man to supply his place, for to help in y^e further settling of sd Town to all intents & purposes as formerly ordered; & do humbly appoint to y^e Hon^l Court y^e M^r Adam Wentworth may be y^e person, being one interested in sd Town.

The Judges Judge motto to grant —
all y^e above mentioned petition & desire —
o^r his magis^{ty} can put report

Is Confessed to by the magis^{ty} Edward Rawson, Clerk William 20th 20th 20th 24
of Oct 16 24

21 Oct 24 The magis^{ty} Judge motto to Mr Capt Wm to be of this Com^{ty} the Hon^l Court the Deputy of this Com^{ty} to be of this Com^{ty} the Hon^l Court

Confessed to by the Deputy
William 20th 20th 20th 24

Whether Capt. Wing attempted to keep an inn also in Worcester, or whether after his death, his house was occupied for that purpose, may possibly be determined after further investigation. Judge Sewall records concerning a journey to Springfield in 1716: "Din'd at Capt. Wings old house in Worcester: writt to Mr. Parris at Rice's eat Roast Turkey near Strawberry Hill. I eat mine at Sarah Stebbings. Got to Brookfield a little after sunset."

Wing appears to have been in Worcester in 1692, but in 1693 he was at Pemaquid as one of the commissioners to treat with the Eastern Indians. (See Mass. Archives, vol. 30, page 339.)

His death occurred in 1702, and by his will probated in Boston in March, 1702/3, he left his "Frame House and Land in Worcester with four hundred acres on the west side of the river & running to the north pond & northerly to the top of Prospect Hill," to his son *Cord*, who subsequently conveyed all rights to Messrs. Palmer, Oulton & others. The inventory of his estate in Worcester showed—*

"Housing & Land	£100
Stock of value of	21
household goods	6
Sundry Irons for mills and husbandry	30
Armes	3 10"

His estate in Boston was of much greater value, but his property was somewhat involved by various judgments outstanding. In fact he appears to have had considerable knowledge of the vexation attending law suits, for as late as November, 1702, he asked the General Court for an act to review his case with a Capt. Bant, stating the results of several trials, and asserting that he had "always had Extreame hard measure in y^e premises, the said Bant having fee'd all the Attornies but one in the Country; and some times yo^r pet^r could hardly get that one, a day or two before the Tryall," &c.

* In 1712 his estate was appraised at "£152. 17. & ½ penny weight, not allowing anything for the houseing being gone to decay." (Middlesex Deeds, vol. 16, page 207.)

There are other interesting items concerning Capt. Wing, the "leading man" of Worcester in 1685, but this must suffice for the present purpose.

George Danson, a Quaker, and a "loaf bread baker" of Boston, was also in 1685 a proprietor of lands north of the "Citadell" and of Capt. Wing's, west of the Mill Brook, extending to North Pond.

What induced Mr. Danson, an old man as he then was, to go to Worcester, does not fully appear ; but if he, as a baker, had an eye to the improvement of the water power for a grist mill, (and appearances indicate that project) his plans were completely frustrated, for his final grants effectually forbid him from interfering with the water privileges of his neighbor, Capt. Wing, who had previously secured the most desirable spot for his own mills.

Mr. Danson erected a house upon his lots, though it may be questioned if he, himself, passed much time in the town. The location of his house is indicated upon a plan of his land which I have discovered in the State Archives, [Vol. 112, page 421.] a copy of which is deposited with this Society ; and I have no doubt that the spot thus occupied can be definitely determined by one familiar with Worcester topography.

Danson's life had not been an uneventful one, though differing greatly from that of his neighbor, Capt. Wing. In 1674, while living in Middleborough, he was fined forty shillings "for doeing Seruill worke on the Lords day" ; and before another year he lost his house by fire and removed to Boston, the Boston Town Records stating, November 25, 1675 : "George Danson & his wife quakers haueinge a house burnt at Midleborowe in Plymouth patent lodgeth at John Warrens." With three other loaf bread bakers of Boston, in 1679 he appealed to the authorities for relief from oppressive regulations concerning the weight and price of bread.

In the State Archives is a petition of Mr. Danson written in the year 1677, describing both himself and wife as "antient," and respectfully, yet pathetically, asking permission to retain in their household an Indian woman, whose services, under their instruction, had become of some value to them. Twice was he whipped in Boston, for attending religious services of the Quakers in 1677.

By his will, probated in 1692, he gave his house and five hundred acres of land in Worcester to his wife, and made bequests to his grandchildren, George, Charles and Elisabeth Crosweight, a name appearing as *Creswait* in the Proprietors' Records of Worcester.

The inventory of his estate shows that he was possessed of considerable property, which included a large stock of dry goods and other wares, indicating the character of the merchandise considered in those days necessary for such a business. There is but little in the inventory to suggest the trade of a baker, which business, however, may have been surrendered for that of a merchant or general trader.

From these imperfect sketches of Capt. Wing and Mr. Danson we will proceed to the controversy between them.

In the case of *Danson vs. Wing*, the Court Records, under date of Dec. 15, 1685, recite that "S'd Wing & confederators did on the 2^d of this instant October violently set upon & assault the Plaintiff as he was laying out some parcells of land at the Towne of Worcester in the Coun- of Middlesex that the pl purchased of & was granted unto him by Capt. Daniel Henchman" &c. ; and "ordring his man to cut the bound marks & violently taking away the Surveyors Chaine who was imployed by the Pl. so disappointing them & defaming the Pls title, the Damage the Pl. hath susteyned being about Twenty pounds mony with all due damages according to attachm^t dat. in Boston Octob^r. 9, 1685." &c.

At the same time there was entered a suit of *Danson vs. George Pyke, Thomas Hall, Caleb Sawyer, Charles Williams and John Turner*, in which the plaintiff alleged that the defendants did "sett upon & assault the pl. as he was laying out a parcell or parcells of land at the Towne of Worcester . . . driving the pl. & his survey^{or} & the persons imployed by him from the s^d work, & breaking his Chaine, cutting out bound marks" &c.

In both cases the defendants claimed that the plaintiff could prosecute on one count only, either for assault or for defamation of title, and this being allowed by the Court, the plaintiff chose the latter, (perhaps unfortunately) and lost both cases, the verdict in

the first case being for defendant, with costs "Two pounds Eighteen & a groat"; and in the second, with costs "one pound fifteen & Eight pence." The testimony bearing upon the alleged assault, and also that in reference to the title, is quite voluminous, but some abstracts may not be uninteresting.

The land in question was on the west side of the Mill Brook, near the North Pond, Danson claiming the land between the pond and Wing's on the south. The location of Capt. Wing's mills is generally considered to have been on the west side of Mill Brook, north of Lincoln square.

In regard to the assault, David Fiske, the surveyor, "aged 62 yeares or thereabouts," testified "that he was hyred by George Danson to survey some land at Worcester being so ordered by Capt. Daniel Henchman," that "George Pyke violently broke y^{or} Deponents Chaine w^{ch} Chaine so broke cost y^{or} Deponent Eight Shill: in money, the which disappointed me yo^r Deponent in my whole Journey which was four days besides my damages for want of s^d chaine, for which foure days George Danson hath paid me for, being seven shill 7^p day," &c.

Nathaniel Henchman (the licensed innholder) gave similar testimony, as did Digory Sargent, whose name is familiar to all conversant with the early history of the town.

Mr. Fiske, Mr. Henchman and Samuel Daniel also testified that Capt. Wing, Thomas Hall and George Pyke interfered while they were measuring Danson's land, and "cutt out the marks & took hold the Chaine we measured wth & so by force stopped o^r work that day & the next day Geo. pyke Caleb Sawyer Charles Williams & John Turner came & say^d they would stop us of o^r work & s^d George Pyke lay^d violent hold of o^r Chaine & broke it in pieces & carried away part of it."

This abstract of the testimony appears to be a fair statement of the alleged assault upon Mr. Danson in October, 1685, in this town. But this little affair was not the first instance (nor the last) of a breeze between the same parties—the "Captain" and the "Baker"—and the remaining evidence may be of more interest.

George Pyke and Thomas Hall, two of the defendants, testified "that in month of March 1685 or nere thervnto they were present with Captⁿ Daniel HENCHMAN at Captⁿ John WINGS House in Worcester & did there heare him the S^d HENCHMAN say that this Land now in controversey betwixt Geo. Danson & Cap^t Wing he had promised it to Cap^m Wing & that noe body should c[ome] betwixt him & the north pond to take the water from him because of his mills which were then in building & since finished* & that it was beneath him Cap^t HENCHMAN to grant [any] other man land there to do Mr. Wing such an injury who [had] done soe great good to the town. And we heard mr Wing say to Danson I am called by you black dog at Boston what am I now, to which mr Danson say^d you rogue Ile make you know this is my Land get you off it & held up an ax with the edge towards mr. Wing he saying I hope you will not strike to which Danson answered noe, & sayd I am [not] afraid of you & mr Wing sayd I am not afraid of you. Then sayd the Surveyer with his compas in his hand I hope Capⁿ Wing you will not hinder mee noe sayd Capⁿ Wing Ile let you have the Chaine & then they mr Wing & Danson Shooke hands & bid each other [good] night lovingly after they had walked about and [] together. 15-10-85"

Mr. Hall also testified that "at Prospect meadow he heard Capt Daniel HENCHMAN say vnto Cap^t Wing you know it was my mind all waies that you should have this land & I did doe what lay in my power to hinder Danson from it but none other Land would serve him & he would have none other & more Cap^t HENCHMAN being after at my house & also betwixt Lancaster & Worcester did say that the sd Land was Cap^t WINGS & now let him doe his parte to lay it out for he Cap^t HENCHMAN say^d he had done his parte & would do noe more on that side the River & those last words were spoke in squash time about the beginning of July last. And Cap^t HENCHMAN say^d when I asked him why he hindered the Surveyer in Laying s^d Lands vnto Cap^t Wing formerly, he answered

*This determines the date when the building of the mills was begun, as *March, 1685*; Wing's house was evidently built before that time.

me that I would hinder him from it but to hinder the town from buzing about my eares say^d mr Henchman. And I have heard the s^d Danson say in threatning manner he would have my eares & that Rogue Pyke Ile have him whipt & Ile hinder the Rogues from giueing in testimony for Cap^t Wing."

If the alleged statement of Mr. Henchman is correctly interpreted, it confirms the impression that the people of the town were ready to side with Capt. Wing, and that Henchman was afraid of the "buzing" which might result from any action favorable to Mr. Danson.

"John Turner doth testify that in may last he was travelling betwixt Quansuggamond Pond & Captaine Henchman his house with him & I speaking to him if the Land on the right hand of us were taken up to which he answered yes, then I asked him if I might have a Lot on the Westerly side of the river betwixt Capt Wings house & the north pond to which Cap^t Henchman did answer I could not have land there because it was aloted or graunted to Cap^t Wing hoame to the north pond & this Land in Controversy betwixt Cap^t Wing & George Danson is a parte of that Land mr Henchman sayd was granted to mr Wing as before"

Digory Sargeant gave similar testimony, adding that Henchman said "I am exceedingly greived because Samuel Daniel hath shewed the abovsd Land vnto the s^d Danson, & none other Land now will content him but that for I had rally granted it to Cap^t Wing & jntended it for him And I heard mr Wing say to mr Henchman when we were goeing to laying it out to George Danson you granted it to mee, & in ffebruary or march last I heard Cap^t Henchman say he had disposed of all the lotts except one & rather than that should make a difference he would lay down ten shillings & take it to himself"

Peter Goulding's testimony was "that at a meeting of all the Comittee men for Worcester he did declare vnto them that one hindrance of peopling that place (as he thought) was the late granting soe much land to wit twenty lots to George Danson to which Major Generall Gookin sayed with his consent he the Sd Danson Shall have but halfe his 20 house lots nere the town & the rest remote."

William Weeks, the constable testified that "in february or nere that time 1683/4* there was a parcell of Land in Worcester nere Prospect hill designed for Cap^m Wing which he did not like off, then I spoke to Cap^m Henchman & sayed that Cap^m Wing did not like of that land to which Cap^m Henchman sayed then he shall take his land where he will & quickly after Cap^m Wing & this Deponent & George Pyke went vp to the north pond & from theare we turned by Prospect hill, & tryed the land as we went, then sayed m^r Wing this is the land I intend to take vp all on the western side of the river vnto the north pond. & a little after I went to Cpt^m Henchman for a grant of Land for me as he had promised it there. Then he told me I could not have it, Cap^m Wing had taken it vp I must get it elsewhere."

George Ripley, "aged near forty one yeares," testified in relation to a contract made by himself, Samuel Daniel and Matthew Tomly [Tomlin] with Mr. Danson, to "get fit and set up" fifteen "Score rodds of f fence," for which they were to be paid at the rate of fifteen pence per rod.

These papers bring to notice quite a number of the inhabitants of the town in 1684 and 1685.

There is some evidence tending to show that in June, 1683, there was discussion among the Committee about limiting Capt. Henchman in laying out lots, but Mr. Henchman opposed such action. It is quite apparent that there was not perfect harmony between the Committee and Capt. Henchman in regard to his distribution of lands; and at the time of this trial, two of the Committee, Messrs. Prentice and Winthrop, sent a message "to signify vnto this Honorable County Court & Jury that wee doe dissent from & disallow of the largenes of the grant of Land there vnto George Danson & also of his haveing any Land to be layed out there on the westerly side of the river betwixt Cap^m Wings house & houselot & the north pond & we have heard Cap^m Henchman say he intended that land for m^r Wing."

* These statements show conclusively that Capt. Wing became interested in Worcester lands *early* in 1684. Mr. Weeks and Mr. Pyke had evidently already settled there.

This testimony showing Capt. HENCHMAN's promise of the land in question to Capt. WING, was met by the plaintiff with an affidavit of Capt. HENCHMAN himself, who was then lying at the "point of death" in his house at Worcester. This interesting document is as follows :

"Worcester Octo. 5th. 85.

"Recived of mr. Danson five pounds ten shilings for eleven Lotts in Worcester and nine Lotts which he bought of severall persons and have delivered me the assignments of them in all twenty Lotts And he chose his planting Lotts to be Layed out next Cap^t Wings planting Lotts which land piched uppon by him I ha^{ve} not disposed of to any other person or promised the same uppon any other account to any : or was it in my power So to do And the molesta- tion given him by Capt Wing is unjust This I testifie as one at the Point of deth the Riteous God knoweth I speake the truth.

"Witnes David ffiske

"D HENCHMAN"

Nathaniel HENCHMAN"

Mr. Fiske swore that he saw Mr. HENCHMAN sign this, and the son, Nathaniel, deposed "having written it from his mouth. He being of perfect understanding then, & to ye day of his Death."

Mr. Danson was very fortunate in securing this acknowledgment, as Capt. HENCHMAN's death occurred ten days after: Oct. 15, 1685.

Concerning this death, Judge Sewall says in his diary: "Monday, Oct. 19, 1685 About nine oclock at night News comes to Town of Capt. HENCHMAN's Death at Worcester last Thursday: buried on Friday: Very few at his Funeral, his own Servants, a white and black, carried him to, and put him in his Grave. His Wife and children following and no more, or but one or two more."*

That he, so well known and so prominent in civil and military

* In settlement of Capt. HENCHMAN's estate there is an item of "Funerall charges £16. 3. 10." The inventory shows: "House, stock and goods in ye Country prised by James Ford and Is: Bull 49. 03. 00."

life, should, in this quiet village, be laid away in the grave, with scarcely one beside his family present, seems a pathetic ending of a busy and useful life. We have queried if his connection with the granting of land to Mr. Danson had not so offended the settlers as to keep them away from the last funeral rites.

The settlers were evidently on the side of Capt. Wing, and were strongly opposed to any abridgment of his rights on the mill stream. This is more clearly shown by the following statement subscribed to by ten persons, comprising, as they affirm, the *majority* of the inhabitants of the town at that time. It is, we believe, the earliest list of *actual* settlers that has been found, and is, perhaps, the most interesting of the papers here presented. It will be noticed that it is dated but one day before the trial, and was evidently prepared at short notice.

“Woster this 14 of december 1685

“Wee whos nams are vnder Reten being the grater number of the Inhabetent now setelled in the town of woster haueing considered And ben witnese of the grat expenc that mr John wing has ben At in belding hes mills which is moch for oure benefet And convenient[] And of letell profet to him nor like to be yet Awhilles Allso his hellpfullnes in oure poglek consernments And forderanc of the setellmet of this town : we doe Apru[] of his choyc of that trak of land lying from [] corner of the set-edell And where it dos begin And Runnes on the westery sid of the mill rever tel it met the north pond tho this being more than his forst deuission yet that he oft in All Justes to poses the remainder As his [] that he may haue the land on that sid of the brok as his propyety that no person may dam Aboue him to hender his mills : as Allso wee [] lok At it to be his right for As moch As seaner[al] of vs doe know that Capten Hinchman did promis this Lokt of land to said wing Apears and before Euer gang dansen saw this pl[] of that land as Allso be[cause] som of vs woled [have] som of oure deuissione of land theare but Captain hinchman tould vs that we [should] not for he had promes that land to Cap wing And we haue Euer cene loked At it to be his only thet it was not mesered to him but we loked it shold haue

ben don in convenient tim it is oure desires that such uncomf-
 abell dife[rences] may be put to An End And that this land may
 be setelled vpon Cap wing youres in all sobmecktion

“William x Wekes	Isaac Tomlin	Thomas Hall
his mark	George Rosbrough	Pe. Goulding
Thomas Allerton		Digory Sargent
Isaac Bull	Willam ^h pers	
James homes	his mark ”	

The name of William Pers does not elsewhere appear among
 the lists of inhabitants.

The following letter of Major Gookin is of interest in this con-
 nection :

“Boston 9th of June 1685.

“Wheras Capt Daniel HENCHMAN, was & is impowred by the
 Comitte for the plantation of Quandsicum Alias WORCESTER : accord-
 ing to a contract made with him : Signed by S^d Comitte to grant
 & lay out Lotts And admitt inhabitants (as is more particularly
 expressed in y^e S^d covenant—And wheras the said capt HENCHMAN
 hath granted lotts to seueral persons some whereof are actually
 settled. And Among others hee the said HENCHMAN hath granted
 & layd out certaine Lotts to George Danson of Boston : in the Said
 Towne of WORCESTER ; vpon w^{ch} lotts hee hath latley set on work-
 men to build & settle the same. But as hee complaanes is inter-
 rupted & put of from his worke By capt John wing, who hath also
 Lotts granted & laid out to him by the said HENCHMAN vpon w^{ch}
 hee is actually settled : now It is herby declared that both their
 rights & titles to their Lotts are good & iust & so are all other Lotts
 orderly granted & layd out by Capt HENCHMAN & It is desired no
 interruption may bee giuen, to any man In their settlement of their
 lotts w^{ch} will tend to discourage or hinder the settlement of the said
 place : And if Capt wing p^rtend any claime to the land orderly
 laid out, to s^d Danson upon acco^t of a second Diuision of farme
 lotts : It is desired that hee, will forbear to prosecute that matter
 for as much as at p^rsent, the comittee judge it most [expedient]

not to lay out any second diuision for farme lotts vntill such persons as are or should setle y^e said towne bee first accomadated wth planting lotts as neere as may be to the center of ye Town where y^e meeting house is designed to be sett & mills are erected : & a cittadel layd out. And further the Committee do promise y^t if Capt wing do cease interrupting of y^e said Danson or any other, y^t have lotts granted, hee the said wing shal be considered & in the first place aecomodated wth his proportion in the second deuision of farme lotts as soon as the Committee shal order the said second deuision of farme lotts to be layd out. And it is desired that the rest of the Committee wil ioyne in subscribing this writting w^{ch} I conceue may bee for the quiet & promoting and in courage[ing] the setlemet of the said place Dated the day & yeare aboue written——
Daniel Gookin Sen^r

“Charlest. Court 15. 10. 1685.

“owned by Wor^l major Gen^l Dan^l Gookin Esq to be his Act subscribed by himself.

“Attest^t Jonath Remington Cler.”

The testimony of Capt. HENCHMAN is utterly unreconcilable with that of the many witnesses ; but it is not our province to decide the rights of the case.

Whatever were the promises of Capt. HENCHMAN, who, as we understand it, had full power in the disposition of the land, Mr. Danson secured the property by paying the price and obtaining Mr. HENCHMAN's acknowledgment of his title.

Capt. Wing, however, could not rest quietly, and on the 20th of the following July, (1686) he, with two others, for the third time interfered with the surveyor who was measuring Mr. Danson's land, breaking his chain, &c. Within a few days of this last assault, the Committee appointed by the President and Council to confirm lands in Worcester, gave Mr. Danson a full confirmation of his title, warning all persons to refrain from molesting him in his possession, or the surveyor in his work.

In this deed of Aug. 2, 1686, (Middlesex Registry, vol. 10, page 132) the Committee say that by "our candid dealings" with Capt. Wing, "we apprehended he was Satisfyed & would make no further interruption tending to the hindrance or disturbance of other grantees," &c. ; but in this they were mistaken, as has been stated.

This confirmation to Mr. Danson was then recorded on the books of the Proprietors, with the stipulation, however, that he should not "erect any corne mil or Saw mill vpon the mil Brook," or in any way interfere with Capt. Wing's privileges on the stream.

When Gov. Andros declared all lands granted under former governments forfeited to the Crown, Mr. Danson to make sure of his title to the lands for which he had labored so hard, petitioned the Government for confirmation, which was granted after notice to Capt. Wing, and the plan previously referred to was returned by the surveyor.

Thus was ended a controversy which must have caused a great commotion in the little settlement, furnishing for many months a lively topic for conversation. At the time of the trial it is evident that the larger part of the inhabitants went down to Charlestown, returning home, doubtless, with satisfaction at Capt. Wing's partial victory.

In connection with the trials the bills of costs are of considerable interest, as all the witnesses were obliged to attend in person, there being "noe pson impowered betwixt that place & this Court to take their oathes."

One of the items in the bill rendered by Messrs. Pyke and Hall is as follows : "Theire owne comeing from Worcester 43 miles from Court 2 dayes comeing & 2 dayes of Hendrance & 2 dayes to goe hoame thither at 2^s $\frac{1}{2}$ day is £1 : 04 : 00." The Court, however, allowed payment for only one day's travel each way.

Following are the full bills of costs :

“John Wing his bill of Costs as Def^t. George Danson plaintiff

	<i>lb</i>	<i>s</i>	<i>d</i>
“For the Copy of the Attachment	0.	00.	06
his owne Attendance 2 dayes	0.	04.	00
Goeing to Worcester to Sumon Witnesses d 5	0.	10.	00
five witnesses Attendance Wm Weekes Geo: pyke. Jn. Turner Tho: Hall, & Digory Sargeant all dwelling at Worces- ter two dayes comeing & 2 dayes attend- ance & two dayes goeing hoame at 2 s ¶ day each one: there being noe pson impowered betwixt that place & this Court to take their oathes 12 s ¶ peice is	3.	00.	00
A Copy of ye Genll Courts order	0.	00.	06
writing evidences	0.	04.	00
five Sumonses	0.	00.	10
fyleing papr no 18	0.	03.	00
	4.	02.	10
Abated in the above sd acct	1.	14.	6
“ye Copy of ye attachmt	0	0	6
goeing to Sumon witnesss	0	10	0
10 dayes abated of the witnesss	1	0	0
writing evidences	0	4	0
	1	14	6”

“George Pyke & Thomas Hall their bill of Costs as Defendants
Geo: Danson plaintiff

	<i>lb</i>	<i>s</i>	<i>d</i>
“ffor the Copies of the Attachment	0	01.	00
Theire owne comeing from Worcester 43 miles from Court 2 dayes Comeing & 2 dayes of Hen- drance & 2 dayes to goe hoame thither at 2 s ¶ day is	1	04.	00
the Copy of the comittees report	0.	02.	00
Two witnesses William Weekes & Digory Sar- geant dwelling at Worcester 43 miles 2 dayes comeing 2 dayes attendance & 2 dayes to goe hoame at 2 s ¶ day	1.	04.	00
writing evidences	0.	01.	00
fyleing 10 paprs	0.	01.	8
	2.	13.	8
abate	0.	18.	0
	1.	15.	8

"abated for ye Coppye of attendance	o 1 o
abated 8 s for ye coming & going	o 8 o
abated 8 s for witnesss coming & going	o 8 o
abated for writing of evidences	o 1 o
	<hr/>
	o 18 o"

Capt. Wing seems to have gained possession of all of these lands upon the Mill Brook after the death of Mr. Danson, but by what means or at what date has not been determined. In 1712, his heirs gave to Thomas Palmer and others deeds of release covering more than one thousand acres of land in Worcester.

The following petition without date, but written about the year 1687, serves to give an idea of the condition of the town at that period.

"To his Excellency S^r Edmond Andros K^t Capt Generall and Governour in cheife of his Maj^{ties} Territory and Dominion of New England——

"The Humble Petition of John Wing in behalfe of himselfe and the rest of the Inhabitants of the Towne of Worster in New England

"Sheweth,

"That the said Inhabitants by reason of their Late settling said Towne being a new Plantation have spent their Stocks to the utmost in their improvements thereon and notwithstanding the same have not had before this yeare a supply from the Ground for Bread Corne for their sustenation, by which means they are much Fallen into debt for their necessary Provision and are reduced to a low and meane condition. And Forasmuch as it hath been the antient Custome of the Former Governm^t for encouragem^t of young Plantations to Remitt them there rates for three or foure yeares after settlement thereof.

"Yo^r Petition^r therefore for himself and in behalf of the rest of the s^d Inhabitants of s^d Towne humbly Prayes Yo^r Excellency to take the Premises into yo^r candid Consideration soe as that yo^r

Excell^{ty} will be pleased to Grant s^d Inhabitants the like favour that they in the meane time may be thereby enabled to raise something for their comfortable subsistence and the discharging such rates as hereafter may be assessed on them.

“And yo^r Petion^r with sd Inhabitants as in duty bound shall ever pray—

"By order from the town [] have presumed to trobell your
Exelency John Wing"

No action upon this petition appears upon the records of the Council.

The four succeeding papers relate to the garrisons erected in the town, in anticipation of possible attacks by the Indians who were causing much disturbance on the frontier at that time.

Endorsed: "To The Governor and Covnسل I pray Deliver
with Care "

“Woster the : 1 agvast : 1692 :

“To the onered governer and Covnsel These lines are to Inform
yov that the inhabetans of the town haue begane To erect agarson
of thare own heds with ovt anny order from a Thorot's and i
went and warned them into Capten wings garoson at woster by
vertev of an order from his excelence the gooverner and thay re-
fvsseed to Come and seeing that thaye wil not come to the garoson
we are not mene anove to watch and ward and scovte as the war-
rant command for all the men in the place is letelanovef for to
Cepe one garoson

“Mr Edward Downing Commander of The Gaarson ”

On the same sheet with Downings letter is the following endorsement :

“Hon^{ble} Sr ! The Bearer hereof Thomas Crosbey, Informs
me that he was sent to Worster with ffour Souldiers for the strength-
ning of the Garrison there, by order from Major Henchman, and

soon after the above named Downing^s wife came to Boston and by Cap^{me} Wings procurement obtained an order from his Ex^{cy} for his takeing the command of the Town which he sayth is very much resented by the Inhabitants, said Downing being a stranger, but newly come thither and of no good Report. He further adds that if all the Inhabitants should be drawn into Cap^{me} Wing^s Garrison, they cannot possibly subsist, it being so remote from their own dwellings and ffields where their business lyes, And that they have neer halfe finished another good Garrison, very conveniently seated, and w^{ch} will better accommodate them :

“The young man seems to be very modest and discreet, and thinks that he and his fellow Souldiers sent from Chelmsford &c are imposed on to be put under y^e Command of Downing, who was m^r Lidgetts Coachman, and possibly may be known to some of the Gentⁿ. with you.

“I just now received the paper and have forwarded it unto yo^r honor to give direction about this affayre as you shall thinke advisable,

“I fear Cap^{me} Wing has overmuch Influenced the same.

“I am, S^r Yo^r hum^{ble} servant,

“Boston, Aug 3^d 1692.

Is^a Addington.

“This young man has been several times this War was at Canada, and has been an officer : w^{ch} makes it more hard to be put under an Irish stranger./.”

“Woster 1 agust 1692

“To the honerabell govenner and counsell to let you under stand that wea haue cene youre order and am willing to let you now our condison and what^{*} yea[†] are about bilding a place of strenk to bea in nere our houses and come to Keepe us and our come with the blessing of the lord captain wings Is to milles from us and if your honner will remoue us it will bea our rowon to draw us from our corn And prouision it will undo us wee now life on our groth and yee[†] shall lose all yee[†] haue

* That?

† Evidently intended for we.

"And wea desire your honners not to remoue us bot to conider
our condison

Thomas Allerton
Samuel [lanorson?] constabel
Alexander bogell
gorgus [Ripley?]
gorgus []
Beniamin Hinton"

This letter was undoubtedly written by Thomas Allerton, whose name often appears in the town records as *Atherton*. The second signature is possibly *lanorson* [Lawson?]; the fourth and fifth are indistinct and undecipherable, but were probably intended for the same name, and may be read *George Ripley*.

In connection with these papers, another of later date is appropriately inserted here.

"this may sertiefy that when the garason was bellt in the town of woster in Ser Edman Androsis time of gonerment that Eleksander Boogell wroft vpon the work seaventeen das for whith he was to Reseaeue thirty four shilling from the contry And this was when I had the comand theare when [generall?] Nikason was leftenant gonevner as witness this 23 october 1702

"John Wing"

The sum of "£ 1. 14." was allowed by the Council to "Alexander Bogel for Seventeen Daies Labor in Building a ffortification at Worcester."

There are many records of conveyances of real estate in Worcester to be found in the Middlesex Registry. In a number of instances reference is made to dwelling houses, barns, fruit trees, &c., all of which are interesting in determining the date of settlement or erection of buildings by the several inhabitants. A portion of these have been copied, but space will not permit their introduction here.

Among other items which have come under my observation are the following relating to the town at a later period.

In the Records of the Court of General Sessions the following "cautions" are found :

March 10, 1723-4. "Caution against William Hambleton from Brookfield "

Aug. 25, 1730. "Caution against Mary Wheeler from Sudbury Aug. 5 "

In the same Records from 1718 to 1726, several presentments appear against the town for neglect in keeping bridges and roads in order.

Dec. 12, 1727, the record appears : "The Selectmen of Worcester appearing in Court to answer to the presentment of the Grand Jurors for neglecting to maintain a writing Schoolmaster in Worcester aforesaid for the Instruction of Youth they haveing been fully heard are dismissed paying fees & costs."

During the Indian troubles in the years 1724 and '25, Worcester shared in the general alarm felt throughout the frontier settlements, especially in Worcester County, and measures were taken for the protection and safety of the people.

In the Council Records appears the following, July 18, 1724 :

"A petition of the Town of Worcester to His Hon^r the Lieut Gov^r, setting forth their great hazard of being attacked by the Indian enemy & greatly disturbed & hindered in their labour by the Enemy sculking in the s^d Town,

"Read & Advised that His Honour the Lieut^l. Governour order a Sergeant & Eight men to be posted at the Town of Worcester for the Protection of the Inhabitants in their Harvest."

The following petition was presented in May, 1725. (Massachusetts Archives, vol. 52, page 163.)

"To his Honour The Lien^d Governour, and Comander In Chief In and over his Majesties Province of the Massachusetts Bay In New England—the Petition of the Subscribers Humbly Sheweth

"Whereas The Town of Worcester is very much Exposed to the Indian Rebels in the present War: there being a great distance between the Towns of Lanchester and Rutland, in which we Ly open to the Enemy; we do therefore (at the desire of the principle part of our Inhabitants) humbly lay our Difficulties before Your Honour Earnestly Intreating, that you would be pleased in your great wisdom so far to Commizerate oure Distressed state, as to send us some soldiars to strengthen our Front Garrison's and scout our wood's, otherwise we Fear the sad effects that may hapen, there being no scout in our woods or soldiers to Guard our Defenceable places, or Inhabitants most Exposed, And very much Disheartened by Reason of the Present Danger they Apprehend them selves to be in, and if your Honour will be pleased to send us som Reliefe, it will be a means to cause our Front Garrisons to keep theire stations; otherwise we Humbly conceive that it is morally Impossible they should, And for which great priviledge To Your Honours poor petitioners (as in Duty Bound) shall Ever Pray

Nathanil Moore	}	Selectmen of Worcester"
James M ^c clellen		
Benj ^a Flagg, Jun ^r		
James Holdin		

In answer to this request the Council advised that a corporal and six men be sent to Worcester, and the following month advised that a "Recruit of 3 men" be sent there.



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